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In re Application of :
MORIYAMA et al. :
U.S. App. No. 10/582,552 :
PCT No.: PCT/JP04/18393 :
Int. Filing Date: 09 December 2004 :
Priority Date: 09 December 2003 :
Attorney Docket: 359636-000003 :
For: CORELESS LINEAR MOTOR HAVING :
A NON - MAGNETIC REINFORCING :
MEMBER :

DECISION ON PETITION

This decision is issued in response to the "Request For Corrected Official Filing Receipt and Notification of Acceptance (PCT/DE/EO/903)" filed 19 December 2011, treated herein as a petition under 37 CFR 1.181 to correct the 35 U.S.C. 371(c) date. No petition fee is required.

BACKGROUND

On 09 December 2004, applicants filed international application PCT/JP04/18393. The international application claimed a priority date of 09 December 2003. On 23 June 2005, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submitting the basic national fee was 09 June 2006, i.e., thirty months from the priority date.

On 09 June 2006, applicants filed a Transmittal Letter requesting entry into the U.S. national stage accompanied by, among other materials, payment of the basic national fee and a translation into English of the international application.

On 25 June 2007, applicants filed an executed declaration in compliance with 37 CFR 1.497.

On 14 August 2007, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Acceptance" (Form PCT/DO/EO/903) identifying the "Date Of Receipt Of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) Requirements" and the "Date Of Completion Of All U.S.C. 371 Requirements" as 25 July 2007. Also on 14 August 2007, a filing receipt was issued that identified the 35 U.S.C. 371(c) date as 25 July 2007.

On 19 December 2011, applicants filed the "Request For Corrected Official Filing Receipt and Notification of Acceptance (PCT/DE/EO/903)" treated herein as a petition under 37 CFR 1.181. The petition includes a copy of the previously filed submission, as well as a copy of the Electronic Acknowledgement Receipt with a receipt date of 25 June 2007.

DISCUSSION

A review of the application file and the materials filed by applicants on 19 December 2011 confirm that the executed declaration completing the requirements of 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) was filed herein on 25 June 2007. The Notification Of Acceptance and filing receipt mailed 14 August 2007, both of which identified the 35 U.S.C. 371(c) date as 25 July 2007, are therefore appropriately vacated.


CONCLUSION

The petition under 37 CFR 1.181 to correct the 35 U.S.C. 371(c) date is **GRANTED**.

This application's date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) has been corrected to 25 June 2007.

The Notification Of Acceptance and filing receipt mailed 14 August 2007, both of which identified the 35 U.S.C. 371(c) date as 25 July 2007, are hereby **VACATED**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision, that is, for mailing of a NOTIFICATION OF ACCEPTANCE OF APPLICATION (Form PCT/DO/EO/903) and Official Filing Receipt which identifies a date of 25 June 2007 under 35 U.S.C. 371(c).



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